

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

IN RE J.B.

No. 2 CA-JV 2019-0148
Filed June 16, 2020

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Civ. App. P. 28(a)(1), (f);
Ariz. R. P. Juv. Ct. 103(G).

Appeal from the Superior Court in Santa Cruz County
Nos. JV17101 and JV19056
The Honorable Thomas Fink, Judge

AFFIRMED

COUNSEL

Emily Danies, Tucson
Counsel for Minor

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MEMORANDUM DECISION

Presiding Judge Staring authored the decision of the Court, in which Chief Judge Vásquez and Judge Brearcliffe concurred.

STARING, Presiding Judge:

¶1 J.B. was adjudicated delinquent in December 2017, and May 2019, after he admitted committing three offenses pursuant to two delinquency petitions. The juvenile court initially placed him on standard probation, but then placed him on Juvenile Intensive Probation Supervision (JIPS) in March 2019, after he admitted to various violations of his probation. In April 2019, the state filed a second delinquency petition, and J.B. admitted to two counts of domestic violence assault, which also constituted a violation of his JIPS. In May 2019, the court ordered J.B. committed to the Arizona Department of Juvenile Corrections (ADJC) for twelve months.¹ This appeal followed.

¶2 Counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), avowing she searched the record but found “[n]o arguable question of law” and asking us to review the record for fundamental error. See *In re Maricopa Cty. Juv. Action No. JV-117258*, 163 Ariz. 484, 486 (App. 1989) (juveniles adjudicated delinquent have constitutional right to *Anders* appeal). Counsel has also requested that we provide J.B. or his guardian an opportunity to file a supplemental brief. We deny that request. This court has limited the application of *Anders* in delinquency appeals to the requirement that we review the record for fundamental error; a minor or guardian is not permitted to file a supplemental brief. *In re Cochise Cty. Juv. Action No. DL88-00037*, 164 Ariz. 417, 419-20 (App. 1990).

¶3 The record supports the juvenile court’s finding that J.B. most recently violated the conditions of his probation by committing two counts of domestic violence assault in April 2019, that his admissions to those offenses were knowing, voluntary, and intelligent and that he provided an adequate factual basis to support them. Specifically, J.B. admitted that during an argument with his mother, he grabbed her wrist, causing it to

¹According to J.B., he has completed his term in ADJC. He will turn eighteen in August 2020.

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bruise, and when his brother tried to intervene, he hit his brother's lip with his elbow, causing it to bleed. *See* A.R.S. §§ 13-1203(A)(1), 13-3601(A)(4). Moreover, the record establishes the court appropriately exercised its discretion in ordering J.B. committed to ADJC. *See* A.R.S. § 8-341(A)(1)(e); *In re John G.*, 191 Ariz. 205, ¶ 8 (App. 1998) ("We will not disturb a juvenile court's disposition order absent an abuse of discretion.").

¶4 Pursuant to *Anders* and as requested, we have searched the record for fundamental, reversible error and have found none. Accordingly, the juvenile court's order committing J.B. to ADJC is affirmed.